IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

Writ Petition No.561 of 2006

Sou.Shubhangi Milind Upalekar
and anr. Petitioners

Vs.

Shashikant Govindrao Upalekar
deceased through heirs. Respondents

Mr.Amit Borkar for petitioners.

Mr.A.P.Kulkarni for Resp.Nos.1 to 4.

CORAM: B.H.MARLAPALLE,J.

August 07, 2006.

P.C.

. Heard the learned counsel for the respective parties. If there was any clarification sought in the order dated 23/11/2004 passed by this Court in Civil Application No.3902 of 2004 filed in First Appeal No.1176 of 2004, it was necessary to file a fresh civil application in the pending appeal rather than approaching the Darkhast Court by filing an application at Exhibit 13 in Special Darkhast No.12 of 2004. The Executing Court rightly directed the J.D. to approach this Court to seek clarifications. No interference is called for in the said order and

the petitioners or any of the parties to this petition are at liberty to file a civil application in First Appeal No.1176 of 2004.

. Petition is rejected.

(B.H.MARLAPALLE,J.)